

Appl. No. : 10/648,971
Filed : August 27, 2003

REMARKS

Request for Interview

Applicant respectfully requests an interview prior to first action as set forth in M.P.E.P. 706.07(b). On February 15, 2005, the undersigned and the Examiner agreed to schedule an interview to discuss the case prior to a first action.

In the November 15, 2004 Office Action, the Examiner rejects Claims 1-2, 4, 8, 10-13, and 15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,808,867 to Wang ("Wang"). In addition, the Examiner rejects Claims 1-3 and 5-10 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,388,875 to Chen ("Chen"). Applicant requests reconsideration of the rejections in view of the foregoing amendments and the following comments.

Discussion of Rejection of Claim 1

Applicant respectfully traverses the Examiner's rejection of Claim 1 as anticipated by Wang or by Chen. For example, Applicant respectfully submits that neither Wang nor Chen teaches or suggests a "where the left side wall has a first side and a second side, where the first side faces the opening, where the second side is opposite the first side and does not face the opening, and where the left side wall further defines a first groove on the first side of the left side wall disposed a first height above the bottom surface and a second groove on the second side of the left side wall at a second height above the bottom, the second height different than the first height, where the right side wall further defines a third groove disposed the second height above the bottom surface..." as recited in amended Claim 1.

In response to Applicant's arguments, the Examiner states that with respect to Figure 4 of Wang, "it may be seen that a side wall has grooves on both sides of the side wall at the bottom side and at the top side." Applicant respectfully submits that a vertical side wall as shown in Figure 4 does not have a "bottom side" and a "top side," and that rather than appearing "on both sides of the side wall" as stated by the Examiner, Wang's grooves are present only on one side.

In response to Applicant's arguments and Chen, the Examiner states that "there are grooves in the lower side of the wall and on the upper side of the wall, in addition to the middle areas of the wall," (emphasis added). Applicant does not agree with the Examiner's substitution of the word "area" for "side." Applicant further submits that there is no "lower side" and "upper

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side” of these walls in Chen, and that these features exist on the same side in Chen. Applicant has amended Claim 1 to include “where the first side faces the opening, where the second side is opposite the first side and does not face the opening,” to clarify the distinction.

Therefore, Applicant submits that neither Wang nor Chen teach or suggest the invention as defined by amended Claim 1, and Applicant accordingly requests the Examiner to withdraw the rejection to amended Claim 1 and to allow amended Claim 1.

Discussion of Objection and Rejection of Claim 5

The Examiner objects to Claim 5 as unclear. In rejecting Claim 5, the Examiner states that “[i]t is somewhat unclear what Applicant means as a “flip side.” A “flip side” is the reverse side or opposite side. In rejecting Claim 5, the Examiner ignores that “the first sides and the second sides are flip sides of the side walls,” and rather, uses features from two different side walls in Chen in rejecting the claim.

Applicant has amended Claim 5 to clarify “where the first surface and the second surface are on opposite sides of the at least one side wall.” Therefore, Applicant submits that Chen does not teach or suggest the invention as defined by amended Claim 5, and Applicant accordingly requests the Examiner to withdraw the rejection to amended Claim 5 and to allow amended Claim 5.

Discussion of Rejection of Claim 8

Applicant respectfully traverses the Examiner’s rejection of Claim 8. In rejecting Claim 8, the Examiner ignores that “a first side” and “a second side” of the claimed side wall are of the same side wall.

In response to Applicant’s arguments, the Examiner states that “in both the rejections based on Wang and Chen, the first side and second side are from the same sidewall.” With respect to Chen, this statement is contradicted by the Examiner’s rejection. With respect to Chen, the Examiner uses “bottom-most groove in left side wall” and “above bottom-most groove in right side wall.” These are two separate side walls. With respect to Wang, the Examiner uses the same wall, but uses the same side of the wall. Applicant has amended Claim 8 to include “a second side of the same side wall as the first side, where the second side is a reverse side of the first side” to clarify that the second side is a reverse side of the same side wall as the first side.

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Therefore, Applicant submits that neither Wang nor Chen teach or suggest the invention as defined by amended Claim 8, and Applicant accordingly requests the Examiner to withdraw the rejection to amended Claim 8 and to allow amended Claim 8.

Discussion of Rejection of Claim 11

With respect to Claim 11, Applicant has amended Claim 11 to recite "and where there is no tongue on the second side wall at the first height." This amendment is supported by paragraph [0037]. Accordingly, Applicant submits that Wang does not teach or suggest the claimed invention and requests the Examiner to allow Claim 11 as amended.

Amendment to Claim 6

Applicant has amended Claim 6 for consistency with amended Claim 5, from which Claim 6 depends.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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